UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

IN RE ALLSTATE INSURANCE)
COMPANY UNDERWRITING AND)
RATING PRACTICES LITIGATION)
) MDL Docket No.: 3:02-md-1457
)
THIS PLEADING REFERS TO:)
Enriquez v. Allstate 3:02-698)
Cochran v. Allstate 3:02-700)
Rose v. Allstate 3:03-969)
Carlson v. Allstate 3:03-483)

ORDER OF DISMISSAL WITH PREJUDICE

Based upon the above Joint Motion for Dismissal with Prejudice, signed by Plaintiffs and Defendants, it is hereby **ORDERED** that said action is dismissed with prejudice, each party bearing their own costs.

ORDERED and **ADJUDGED** this 17th day of September , 2009

U.S. DISTRICT JUDGE

¹ This dismissal resolves, with prejudice, the actions captioned <u>Enriquez v. Allstate</u> 3:02-698; <u>Cochran v. Allstate</u> 3:02-700; <u>Rose v. Allstate</u> 3:03-969 and <u>Carlson v. Allstate</u> 3:03-483. The cases captioned <u>Shelton v. Allstate</u> 3:01-1502; <u>Myers v. Allstate</u> 3:02-757; <u>Sanchez v. Allstate</u> 3:03-154; <u>Daniels v. Allstate</u> 3:02-601 and <u>Silhol v. Allstate</u> 3:02-699 were previously dismissed with prejudice by the Court's July 29, 2005 Final Judgment and Order of Dismissal with Prejudice. (Docket No. 658-1).

Agreed to by:

/s/ Andrew B. Campbell

Andrew B. Campbell, #14258

Wyatt, Tarrant & Combs, LLP

2525 West End Avenue, Suite 1500

Nashville, Tennessee 37203

(615) 244-0020

(615) 256-1726 [facsimile]

Attorneys for Allstate Insurance Company

and Allstate Indemnity Company

Jeffrey Lennard, pro hac vice

M. Keith Moskowitz, pro hac vice

Sonnenschein Nath & Rosenthal, LLP

8000 Sears Tower

233 South Wacker Drive

Chicago, Illinois 60606

(312) 876-8000

Attorneys for Allstate Insurance Company

And Allstate Indemnity Company

and

/s/ Terry A. Smiljanich

Terry A. Smiljanich

James, Hoyer, Newcomer, Smiljanich & Yanchunis, P.A.

One Urban Centre, Suite 550

4830 West Kennedy Boulevard, Suite 147

Tampa, Florida 33609

Kenneth S. Canfield

Doffermyre, Shields, Canfield, Knowles & Deine

1355 Peachtree Street, N.E.

The Peachtree, Suite 1600

Atlanta, Georgia 30309-3269

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served upon the following on this the 14th day of September, 2009, via the Court's electronic filing system and/or first class U.S. mail, postage pre-paid upon:

Terry A. Smiljanich

JAMES, HOYER, NEWCOMER, SMILJANICH & YANCHUNIS, P.A. One Urban Centre, Suite 550 4830 W. Kennedy Blvd., Suite 147

Tampa, Florida 33609

Kenneth S. Canfield

DOFFERMYRE, SHIELDS, CANFIELD,

KNOWLES & DEINE

1355 Peachtree Street, N.E.

The Peachtree, Suite 1600

Atlanta, Georgia 30309-3269

R. Scott Jackson, Jr.

JACKSON & BURTON PLLC

144 Second Avenue, North

Suite 450

Nashville, TN 37201

Alexander Thomas Stubbs

OFFICE OF A. THOMAS STUBBS

755 Commerce Drive, Suite 720

Decatur, GA 30030

Scott R. Shepherd

SHEPHERD, FINKELMAN, MILLER & SHAH,

LLC

35 E. State Street

Media, PA 19063

Charles A. McCallum, III

McCallum, Hoaglund, Cook & Irby, LLP

905 Montgomery Highway

Suite 201

Vestavia Hills, AL 35216

David A. Szwak

BODENHEIMER, JONES & SZWAK

509 Market Street, 7th Floor

P.O. Box 1015

United Mercantile Building

Shreveport, LA 71101-3664

Curtis W. Hitt

HITT LAW FIRM, P.A.

726 West Kingshighway

Paragould, Arkansas 72450

Roger L. Longtin

Michael O'Neil

Peter J. Donoghue

DLA PIPER RUDNICK GRAY CARY US LLP

203 North LaSalle Street, Suite 1900

Chicago, IL 60601-1293

Dawn Adams Wheelahan

650 Poydras Street, Suite 1550

New Orleans, LA 70130

Glenn Paul Orgeron

LEMLE & KELLEHER, LLP

Pan American Life Center

601 Poydras St., Suite 2100

New Orleans, LA 70130-6097

Brian P. Brooks

O'MELVENY & MYERS

1625 Eye St., N.W.

Washington, DC 20006

Suzanne M. Schwarz

LAW OFFICES OF SUZANNE M. SCHWARZ,

PC

P.O. Box 532044

Harlingen, TX 78553